



City of Rochester

City Hall Room-307A, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov



Robert J. Duffy
Mayor

October 15, 2010

Environmental Management Support, Inc.
Attention: Mr. Don West
8601 Georgia Avenue, Suite 500
Silver Spring, MD 20910
Phone 301-589-5318

Re: City of Rochester, New York - USEPA Brownfield Cleanup Grant Proposal - \$200,000
Grant Type: Cleanup
Federal Funds Requested: \$200,000 (no waiver requested)
Contamination: Hazardous Substances
Project Type: Site Specific

Dear Mr. West:

I am pleased to submit this \$200,000 brownfield cleanup grant proposal from the City of Rochester, New York for your consideration. This proposed grant will provide funding for cleanup of a site consisting of four parcels, each owned by the City, with a combined area of approximately 1.5 acres that are addressed as 300, 304-308, and 320 Andrews Street, and 25 Evans Street. The City of Rochester will not be requesting a cost share waiver for this project.

Under the New York State Environmental Restoration Program, the City of Rochester is now completing the evaluation of the nature, extent, and magnitude of environmental contamination at the site in order to design and implement focused Interim Remedial Measures (IRMs) as deemed warranted, and to evaluate general response actions, remedial measures, remedial alternatives and corrective actions and their estimated costs.

As required in the proposal guidelines, we are providing the following information:

Applicant Identification:

City of Rochester, New York
Department of Environmental Services
Division of Environmental Quality
30 Church Street Room 300B
Rochester, New York 14614

DUNS number: 00-246-5805

Location:

City of Rochester, New York
County of Monroe

Contacts:

Project Director: Mark Gregor
Manager, Division of Environmental Quality
Phone number: 585-428-5978
Fax number: 585-428-6010
e-mail address: mgregor@cityofrochester.gov
30 Church Street Room 300B
Rochester, New York 14614

Mayor Robert J. Duffy
Phone number: 585-428-7045
Fax number: 585-428-6059
email address: duffyr@cityofrochester.gov
City of Rochester, New York
30 Church Street Room 307A
Rochester, New York 14614

Page 2

Date Submitted: October 15, 2010
(Submitted to EPA via U.S. Postal Service)

Project Period: October 1, 2011 – September 30, 2014

City of Rochester Population: 207,291 (2009 Census ACS estimate)

We appreciate EPA's continued leadership and support of our past brownfield efforts, and appreciate the opportunity to share our successes with EPA. Please let me know if you need additional information or have questions regarding this application.

Thank you again for your consideration.

Sincerely,



Robert J. Duffy
Mayor

Enclosure

xc: Ramon Torres, EPA Region 2
Bill Ansbro, Budget Bureau
Paul Holahan, Commissioner, DES
M. Gregor, DEQ

G:\ENVQUAL\BF\Fedlaw\2011 grant proposals\EPA cleanup cover letter - Andrews.doc

City of Rochester, New York
 EPA Brownfield Cleanup Grant Proposal
 300, 304-308, 320 Andrews Street & 25 Evans Street
 October 15, 2010

III.C Threshold Criteria for Cleanup Grants

1. Applicant Eligibility

a. Eligible Entity

The City of Rochester (City) is an incorporated general purpose unit of local government in New York State.

b. Site Ownership

The City of Rochester is the sole owner of 300, 304-308, 320 Andrews Street & 25 Evans Street. The City took site ownership of 25 Evans Street and 320 Andrews Street in 1990; 304-308 Andrews Street in 1991; and 300 Andrews Street in 1997.

2. Letter from the State or Tribal Environmental Authority

An acknowledgment letter from Donna Weigel, Director of the Division of Environmental Remediation for the New York State Department of Environmental Conservation (NYSDEC) is attached.

3. Site Eligibility and Property Ownership Eligibility

a. Basic Site Information

3.a (a) Name of the Site: Andrews Street

3.a (b) Address of the Site: 300, 304-308, 320 Andrews Street & 25 Evans Street, Rochester New York, 14604 (The Site)

3.a (c) Current owner of the Site: City of Rochester

3.a. (d) If not the current owner: NA

3.b Status and History of Contamination of the Site

3.b (a) Contamination: Hazardous substances (e.g. tetrachloroethene (a.k.a. perchloroethene or PCE)).

3.b (b) Operational History and current uses of the Site: The Site consists of four parcels owned by the City with an area of approximately 1.5 acres that are addressed as 300, 304-308, and 320 Andrews Street, and 25 Evans Street. The Site has been used for various commercial and industrial uses since the early 1920's including: plumbing supply, electrical supply, bakery, printer, commercial bus depot and bus garage, gasoline station, chemical sales/distribution, dry cleaning equipment distributor, fuel oil contractor, and warehousing. All parcels are currently vacant and scheduled for complete demolition in October 2010.

300 Andrews Street - Acquired by City in July 1997. Prior to acquisition, the building was occupied by a commercial printer on the first floor and two residential apartments on the second floor. The City of Rochester Department of Environmental services (City DES) Main Street Activity team occupied the building from the late 1990s to early 2007. The Main Street Activity team maintained sidewalks, seasonal decorations, benches, shelters, and plantings in the central business district. The City used this building for offices, locker rooms, material storage, and maintenance of benches and light equipment. No vehicle maintenance was performed by the City in this building. No spills were reported during the City's use of the building.

304-308 Andrews Street - Acquired by City in January 1991. Prior to acquisition, Asymmetrical Press, a commercial printer, occupied a portion of 304 Andrews Street and continued to occupy the space until

approximately 1993, when they were evicted due to non-payment of rent. The Home Store, a community based mortgage lender, leased the first floor space for use as offices from 1995 to 2005. The second floor was occupied for office use by The Urban League of Rochester Economic Development Corporation from 1995 to 2007.

The Metro Group occupied 308 Andrews Street prior to City acquisition and continued until 2001. The Metro Group is a water treatment company specializing in the application of specially formulated chemical treatment regimens to mitigate deterioration of building furnace boilers, pipes, and radiator components. Water based treatment chemicals used for HVAC applications were being stored at 304 Andrews Street. These treatment chemicals include corrosion inhibitors along with deposit and scale inhibitors. Fire Department records and other historic documentation indicated that the storage of these chemicals was in compliance with all DEC and EPA regulations. The space was occupied by Youth Build of New York from 2001 to October 2006 for use as classroom space and equipment storage. A one-story garage located behind 308 Andrews was used for prop storage by Downstairs Cabaret Theater until October 2006. The northern portion of the 304-308 building was being used by the City of Rochester to store surplus office furniture and equipment.

320 Andrews Street - Acquired by City in November 1990. The former Greyhound Bus Terminal ceased operation at the location circa 1990 and was used by the City for storage of various supplies and surplus furniture from 1990 to 2004. City use ceased at that time due to roof leaks and general structural deterioration. The exterior of this parcel has been used for parking and the storage of landscaping materials (i.e., mulch, topsoil, etc.). No petroleum or chemicals were used or stored in this building by the City.

25 Evans Street - Acquired by City in November 1990. The former Greyhound Bus Garage ceased operation circa 1990. Pre-acquisition investigation of this site revealed environmental issues including: two closed in-place Underground Storage Tanks (USTs) (5,000-gallon gasoline and 5,000-gallon diesel) under the concrete floor in eastern part of the building and an approximate 2,000-gallon lube oil Aboveground Storage Tank (AST) in the western portion of the building. The building was vacant in the early 1990s before being used during the mid 1990s for storage of residential garbage totes by City, and for storage of evidence by the City Police. The City also used the building to store vehicles and equipment including sidewalk scrubbers and sweepers, lawnmowers, scissor lifts, utility trucks, pressure washers, and water tanks. Materials and petroleum/chemicals stored included diesel fuel, kerosene, citrus based cleaner, washer fluid, 10W-30 oil, hydraulic fluid, roof coating, and sidewalk de-icer. No vehicle maintenance was performed by the City in this building. No spills were reported during the City's use of the building.

3.b (c) Environmental concerns , if known, at the Site: In June 2006, a Phase I ESA was completed for each of the four parcels that comprise the Site. Recognized environmental conditions (RECs) identified at the Site included:

304-308 Andrews Street

- The presence of two (2) out of service 275-gallon ASTs in the basement of the building
- a floor drain inside the "barn" or garage area of 308 Andrews St.;
- the historic use of the building by a dry cleaning supply company, a chemical distributor, and a printer; and

25 Evans Street

- Two (2) closed in place 5,000-gallon underground storage tanks (USTs) and one (1) out of service, approximate 3,000-gallon aboveground storage tank (AST) located inside the building;
- the presence of a floor trench drain system inside the building;
- a former below grade service pit in the concrete floor inside the building that had been filled with crushed stone; and

300 Andrews Street

- The presence of containers of oil, anti-freeze and paint in the building and minor floor stains; and

320 Andrews Street

- The historic use of the property by a retail gasoline station and by a commercial bus company.

3.b (d) How the Site became contaminated ...nature of contamination: From the early 1920's to the present, the Site had been used for various commercial and industrial uses. A Phase II Environmental Site Assessment (Phase II ESA) performed in 2006 documented soil and groundwater impacted by volatile organic compounds (VOCs), most notably perchloroethene or PCE, that exceed regulatory criteria. The area of the Site with the highest concentrations of PCE in soil was in the "barn" or garage at 304-308 Andrews Street and immediately south of the barn in an asphalt and stone covered parking lot, which corresponds to the area of the parcel formerly used by a dry cleaning supply company, and may be one of the apparent source areas for PCE contamination at the Site (Figure 1). PCE was also detected at several other parcels on the Site, including on the eastern portion of 320 Andrews Street. The suspected source of PCE on 320 Andrews Street has not been identified, and data gaps exist that do not allow a clear picture regarding whether the PCE present on the various parcels is related to the same source or separate sources.

In 2008, the City was awarded a \$472,000 Environmental Restoration Program grant by the New York State Department of Environmental Conservation (NYSDEC) to complete a comprehensive Site Investigation to more accurately define the nature and extent of the PCE contamination at the Site.

Components of the study, currently underway, include:

- historical documents research
- asbestos, utility and geophysical survey
- subsurface investigation of identified magnetic anomalies
- groundwater quality evaluation including
- Interim Remedial Measures including: building demolition, removal of selected building slabs, limited PCE contaminated soil source removal and waste characterization and proper disposal of study related and soil source removal related wastes, and
- Development of a Remedial Alternatives Report

3.c Sites ineligible for Funding. Affirm the Site is:

3.c (a) not listed or proposed for listing on the NPL: The Site is not currently listed or proposed for listing on the National Priorities List.

3.c (b)... not subject to unilateral administrative orders: The Site is not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA.

3.c (c)... not subject to the jurisdiction, custody, or control: The Site is not subject to the jurisdiction, custody, or control of the United States government.

3.d Sites requiring a Property-Specific Determination The Site is not subject to a planned or ongoing CERCLA removal action. A property specific funding determination is not required.

3.e Environmental Assessment Required for cleanup proposals. An ASTM E1903-97 Phase II Environmental Site Assessment (Phase II ESA) was performed on all Site parcels in 2006 and consisted of test borings, installation of three overburden groundwater monitoring wells, the preliminary evaluation of select floor drains and an evaluation of their point of discharge, and the collection and analysis of soil and groundwater samples. The findings of the 2006 Phase II ESA documented soil and groundwater impacted by volatile organic compounds (VOCs), most notably perchloroethene or PCE, that exceed regulatory criteria.

As stated in 3.b (d), above, additional Site characterization is already underway as part of the City's 2008 ERP grant award from the NYSDEC. The Site Investigation/ Remedial Alternatives Analysis Report is expected to be complete by late summer 2011. The City anticipates the NYSDEC Remedy Selection Record of Decision to be issued by Spring 2012.

Property Ownership Eligibility

3.f Affirm that you are not potentially liable: The City of Rochester is not a potentially responsible party under CERCLA Section 107. The City acquired 25 Evans Street and 320 Andrews Street in 1990; 304-308 Andrews Street in 1991; and 300 Andrews Street in 1997. Per the requirements of the bona fide purchaser protection (BFPP):

1. All disposal/ releases of hazardous waste occurred prior to property acquisition;
2. The City is not liable for the existing contamination nor do any affiliations exist between the City and any potentially responsible party (PRP);
3. Phase I Environmental Site Assessments (ESA), or the equivalent, were completed, within 180 days of acquisition, for each parcel by a full service professional environmental consultant in accordance with the industry standard practices at that time. Additional ASTM E1903-97 Phase II ESA's were performed on all Site parcels in 2006 prior to application into the NYSDEC's ERP Program.
4. The City has taken appropriate care regarding any hazardous waste found at the Site and has prevented future releases and exposures by:
 - a. Removing six (6) lab pack drums of hazardous waste ink and three (3) bulk drums of non-hazardous waste abandoned at the Site in 1993. All wastes were properly disposed of via Waste Management, Inc.,
 - b. Removing residual liquids from two (2) USTs located under the building slab at 25 Evans Street. Due to the presence of structures above the USTs, the tanks were then filled with concrete. The tanks will be removed subsequent to the October 2010 building demolition as part of the NYSDEC ERP Project
5. The City has and will continue to cooperate with authorized response persons in the event of or discovery of a hazardous substances release; and
6. The City abides by all land-use restrictions associated with response actions at the Site.

3.g Enforcement Actions. Identify known ongoing or anticipated environmental enforcement actions... There are no ongoing or planned environmental enforcement actions related to the 300, 304-308, 320 Andrews Street & 25 Evans Street Site. According to the NYSDEC there are currently no ongoing enforcement actions and the NYSDEC is not planning to initiate remedial actions at the Site.

3.h Information on Liability and Defense/Protections

3.h (i) Information on Property Acquisition: The parcels are currently owned by the City of Rochester and were acquired by the City via negotiated purchase. 320 Andrews Street and 25 Evans Street were acquired from Greyhound Lines, Inc. on November 9, 1990. 304-308 Andrews Street was acquired from Mr. John Affronti on January 15, 1991, and 300 Andrews Street was acquired from Mr. Anthony Giardina on July 24, 1997. No previous or current affiliations existed between the City and any of the former property owners.

3.h (ii) Timing of Hazardous Substance Disposal: The City has not caused or contributed to any release since their ownership. In 1993, the City Division of Environmental Quality retained Marcor Environmental to remove containers and drums of chemicals abandoned at the Site. Six lab pack drums of hazardous waste ink and three bulk drums of non-hazardous waste water/ink were disposed of via Waste Management, Inc.

3.h (iii) Pre-purchase Inquiry: Prior to purchasing each of the parcels, the City Division of Environmental Quality (DEQ) remediation specialists, with several years experience and advanced environmental educations, performed an in-house preliminary site assessment on the property, its prior ownership and operations, and environmental concerns. A Phase I Environmental Site Assessment, or equivalent, was completed for each parcel by a full service professional environmental consultant in accordance with the industry standard practices at that time. Investigation reports include:

- Site Investigation Report Former Greyhound Terminal and Bus Garage (320 Andrews Street and 25 Evans Street) – March 1990 (Malcolm Pirnie, Inc.);
- Environmental Site Assessment 304-308 Andrews Street – October 1990 (Malcolm Pirnie, Inc.);
- Phase I Environmental Site Assessment 300 Andrews Street – March 1997 (The Sear-Brown Group, Inc.).

3.h (iv) Post-Acquisition Uses: At present, all parcels are currently vacant and scheduled for complete demolition in October 2010. The following lists all property uses since the City acquired each parcel, use duration and occupants relationship to the City.

25 Evans Street (Owned by City of Rochester since November 9, 1990)

- Tenant: Rochester Police Department (RPD), 1992 to 1999 – Equipment Storage*
- Tenant: City DES, 1999 to 2007 – Equipment Storage*

300 Andrews Street (Owned by City of Rochester since July 24, 1997)

- Tenant: JSG Delivery, 1997 to 1999 – Delivery Service*
- Tenant: Professional Image Printing, 1997 to 1999 – Printer*
- Tenant: City DES – Main St. Activity Team, 1999 to 2007 – Maintenance Shop/Offices*

304-308 Andrews Street (Owned by City of Rochester since January 15, 1991)

- Tenant: Asymmetrical Press, 1990 to 1993 – Printer*
- Tenant: Benestat, Inc., 1990 to 1994 – Offices
- Tenant: The Metro Group, 1990 to 2001 – HVAC Chemical Distributor*
- Tenant: Andrews Place Industrial Park, 1990 to 1994 – Developer
- Tenant: Ken Rose roofing, 1990 to 1992 – Roofing Contractor
- Tenant: HR Communications, 1997 to 1999 – Offices
- Tenant: Urban League of Rochester, 1997 to 2007 – Offices
- Tenant: The Home Store, 1995 to 2007 – Home Mortgage Lending Offices
- Tenant: Urban League: Youth Build of NY, 2001 to 2006 – Home Construction Offices

- Tenant: Downstairs Cabaret Theater, 1999 to 2006 – Theater Group Prop Storage
320 Andrews Street (Owned by City of Rochester since November 9, 1990)

- Tenant: City DES, 1990 to 2007 – Equipment Storage

*Note - See section 3.b(b) for detailed operations summary.

3.h (v) Continuing Obligations. Describe in detail the specific appropriate care...reasonable steps to: The City of Rochester has exercised appropriate care to stop and prevent future releases of hazardous substances and prevent or limit exposures by: removing abandoned waste from the Site and closing in place, two (2) USTs, as detailed in Section 3.f(4)(a) and 3.f(4)(b) of this application. The City has also worked closely with local business and property owners to assist with Site security and to identify potential future Site use.

Please confirm your commitment to... The City of Rochester will comply with all land use restrictions and institutional controls including any future NYSDEC environmental easements. The City's building permit based environmental institutional control system will also be used to control activities at the site. The City will provide assistance to and cooperate with the environmental consultant and contractors performing the cleanup as well as regulatory agencies and provide access to the property. The City will comply with all information requests and subpoenas in connection with the property and will provide all legally required notices.

4. Cleanup Authority and Oversight Structure

4.a Describe how you will oversee the cleanup...

The City is already enrolled in the NYSDEC's ERP and is currently completing a comprehensive site investigation, interim remedial measures, and remedy selection activities under NYSDEC oversight. The City is planning to continue the remedial design and remedial action phase under the ERP municipal brownfield program. The City has assigned a senior environmental staff person to manage the environmental firm selected to perform the remediation work. Remedial services will be performed through a professional services agreement, and will be procured using an advertised, open competitive selection process in accordance with NYS General Municipal Law and 40 CFR Part 31.36. The selected firm and agreement amount will be subject to Rochester City Council authorization. In accordance with standard City brownfield cleanup procedures, the City project manager will coordinate the review and approval process for the remedial action with the Monroe County Department of Health (MCDH) and the NYSDEC. Citizen participation activities and involvement will be based on a NYSDEC approved Citizen Participation Plan (CPP).

4.b Cleanup response activities often impact adjacent... Site investigations to date have revealed the potential for off-site contamination. However, it has been shown that groundwater at the site flows north toward the Inner Loop highway. During the proposed cleanup the City anticipates at least one well will be installed in the Inner Loop right of way to document that off-site contamination is being addressed by our plan. The City has also already involved adjoining property owners in a project citizen participation planning process. The City has experience on several other sites with negotiating successful access agreements should additional work need to be performed on private property. The City will follow its general practice of advising adjoining property owners of potential impacts of remedial projects and discuss the potential for the need for access before any work begins. Should property access agreements be needed the City will negotiate mutually acceptable terms including restoration of any damage to property.

5. Cost Share

5.a Demonstrate how you will meet the required cost share The City's matching share for the grant will be from the City of Rochester's DES Fiscal Year 2011-2012 Cash Capital Allocation and Operating Budget totaling \$447,940. The current cleanup cost estimate is approximately \$647,940. As a result, the City requires approximately \$447,940 in additional funds (above and beyond the Grant) to complete the cleanup. The NYSDEC ERP grant program currently does not have additional funds to grant to municipalities, therefore no additional NYS funding is available to the City of Rochester for this project. Therefore, the EPA grant is needed in order for the City to proceed with this project. *The City's overall project share will exceed the required 20% cost share requirements for the proposed cleanup grant.*

5.b If you are requesting a hardship waiver... The City is not requesting a hardship waiver.

6. Community Notification The City provided notice to the community about its cleanup grant proposal in several ways. On October 5, 2010, at a meeting of the Liberty Pole Business Association, the City presented information about the Andrews Street site, discussed the cleanup grant proposal, and provided an opportunity for comments. Letters were also sent to affected property owners, businesses, and community groups providing information about the Site cleanup project and the City's EPA cleanup grant proposal. Information regarding this cleanup application was also on the City Division of Environmental Quality web page: www.cityofrochester.gov/citydepartments for review and comment. Substantive comments were summarized and the City's response prepared. A copy of the meeting notification, meeting notes and sign-in sheet, public comment and response summary to the City's project and proposal, and support letters from involved community-based organizations are attached.

V.B. Ranking Criteria for Cleanup Grants

1. Community Need

1.a Health, Welfare and Environment

1.a. (i) Describe the effect brownfields currently have on your targeted community In the City of Rochester, there are approximately 6,000 commercial and industrial properties that cover about 5,900 acres of land. Based on property uses, existing environmental reporting, and a review of environmental databases, the City's Division of Environmental Quality (DEQ), indicates ~3,875 of those properties have environmental issues that impair property values and reuse. The majority of these sites are less than one acre in size, located adjacent to or within 2000 feet of residences, and within or adjacent to the City's most disadvantaged neighborhoods. Within ½ mile of the Andrews St. Site, seven (7) NYSDEC Remedial Sites and six (6) MCDH suspected or confirmed waste sites exist. There are also 35 vacant residential dwellings and 57 vacant commercial or industrial sites. Police and Fire Department response statistics indicate that vacant properties become locations for drug trafficking and abuse, vandalism, arson, and theft including the disturbance of asbestos and other contaminated materials to gain access to strip copper pipes & fixtures, scrap aluminum, iron, and steel. The disturbance and release of asbestos and other contaminants has occurred repeatedly at several brownfield sites and numerous vacant residential sites. These releases have and continue to pose exposure hazards to neighborhood children and young adults, utility workers, City environmental services crews, police, and fire fighters.

In 2005, Rochester ranked as having the highest risks posed to humans in the Northeast, according to an evaluation by USEPA using its Risk Screening Environmental Indicators which is based on Toxics Release Inventory (TRI) data. EPA's evaluation concluded that toxic air emissions were the primary source of exposure. The risk screening results were of enough concern to EPA that it requested that Rochester pursue an EPA Community Action for a Renewed Environment (CARE) project in Rochester.

2010 Rochester City School District statistics indicate that 14% of children in kindergarten through 12th grade have

asthma and that this trend continues to increase from year to year. Among Pre-kindergarten to 6th graders the prevalence is even greater, 15.7 %. State-wide the asthma rate for children is 11% and nationally the prevalence is 9.1% suggesting that school aged children in the City of Rochester are at a greater risk. According to the African American Health Task Force 2003 report, "the hospitalization rate for asthma in Monroe County is still more than three times greater among African Americans than among the non-African American population." Minorities comprise over 50% of the population in the City of Rochester.

According to the Center for Governmental Research (CGR) identified pervasive neighborhood problems. According to CGR "the City of Rochester, especially in neighborhoods in the crescent that surrounds the Central Business District ... *"display the characteristics associated with elevated blood lead levels, including: concentration of minority residents, high percentage of families in poverty, a large proportion of the population that does not receive a high school diploma, low housing values, low owner occupancy rates and high population densities."*

1.b Financial Need

1.b (i) Describe the economic impact of brownfields on the targeted community:

Rochester's published Fiscal Year 2011 City Budget Bureau projects a total budget gap for Fiscal Year 2012 of \$51.2 million (10.7%). This projected gap increases to \$152.8 million by fiscal year 2015-16 when it represents over 28% of the total inflation adjusted City budget. Excluding 2009 ARRA stimulus funding, since the year 2000, federal aid for the City's administration of federally funded programs declined 20%.

In the City, 29.1% of individuals are estimated to live in poverty and 36.9 % of families with related children under 18 years old are estimated live below the poverty level with the estimated median household income in just \$29,123 (Census 2005-2007 ACS). Unemployment is estimated at approximately 11.7% in the City of Rochester. Rochester lost 11.9% of its population between 1990 and 2009 (1990 and estimated 2009 Census data) which when combined with the dramatic increase in abandoned properties and manufacturing losses, has depressed property valuations and the property tax base.

The City of Rochester has experienced a general, long-term decline in real assessed property values in many neighborhoods which has affected the willingness of businesses and developers to invest in Brownfield properties since cleanup costs alone frequently exceed property values. Rochester has experienced massive job losses in its traditional industrial jobs and continues to experience facility closings at some of its major employers such as Eastman Kodak, Delphi, and Valeo. Employment by Kodak in Rochester has dropped from about 65,000 in 1980 to about 7,000 in 2010 and is not longer the largest employer in the City. This trend is expected to continue to affect employment in Rochester.

While Rochester has secured several previous EPA Brownfield Grants, and the City has an active and successful brownfield program, it is able to remediate only 5 to 10 acres per year. The private sector completes cleanups at about the same pace. As a result, there are hundreds of acres of brownfield properties that still need environmental cleanup. In addition New York State's municipal brownfield grant program, the Environmental Restoration Program, which Rochester had used very successfully for 10 years, is currently unfunded and new grants are no longer available. NYS ERP grants, totaling \$10 million, have represented approximately 30% of the City's brownfield capital funding for cleanup projects during the last ten years. Much of the costs for demolition of structures on brownfields must be financed with municipal funding which limits funds available for actual remediation. Cleanup grant funding from EPA is still necessary as a result of these factors.

2. Project Description and Feasibility of Success

2.a Project Description

2.a (i) Describe the project you are proposing to be funded under the grant. The proposed project is an important step toward returning the Site to a viable City mixed use residential/ commercial property. The project will include components that: 1) remediate contamination beyond the IRM areas; 2) satisfy NYSDEC requirements, 3) allow for interest in redevelopment of the Site; and 4) establish requirements for long-term management of residual environmental conditions that are protective of human health and the environment. Remediation is critical to allow redevelopment and beneficial reuse of the Site which will provide needed services to the surrounding neighborhood and businesses.

The Site is currently being further investigated under the NYSDEC ERP with a State Assistance Contract (SAC), and includes IRMs to address: PCE soil hotspots; and abandoned petroleum USTs. However, the IRMs will not be addressing groundwater or known contamination on other portions of the Site. The current work to be performed under the SAC also includes the preparation of a Remedial Investigation Report (RI Report) and a Alternatives Analysis Report (AA Report). A Record of Decision (ROD) will ultimately be issued by the NYSDEC that identifies the recommended alternative.

The anticipated proposed cleanup plan will be approved by the NYSDEC and local Health Departments. Once the cleanup has been substantially completed, it is anticipated that redevelopment of the Site can be completed within a relatively rapid time frame.

Although the NYSDEC has identified that State ERP funds are not available for remediation of the Site, it is anticipated that this cleanup plan will be implemented under the ERP program in order to receive NYS Regulatory oversight, release from remedial liability for hazardous substances that were on the property prior to entering the ERP, State indemnification in the amount of any settlements/judgments obtained regarding an action relating to hazardous substances that were on the property prior to entering the ERP; and entitlement to representation by the New York State Attorney General.

2.a (ii) Describe the proposed cleanup plan...and potential end use for the Site. The proposed cleanup plan will include removal of contaminated soil/fill at identified source locations. Once the source soil is removed, confirmation or documentation samples will be collected in accordance with appropriate guidelines to document that soil cleanup objectives have been met. After soils removal has been completed, additional chemical oxidation or enhanced in-situ reductive dechlorination techniques will be utilized to treat residual contamination in groundwater. The Task-by-Task technical approach to implementing this plan is discussed in greater detail in Section 2.b(i) below.

2.b Budget for EPA Funding and Leveraging Other Resources

2.b (i) Use the table format below to identify specific tasks... where possible

A. Andrews Street Site EPA Cleanup Grant Budget

Budget Category	Task 1 Work Plan	Task 2 CPP	Task 3 Soil Removal & In-Situ Remed.	Task 4 IC	Task 5 EC	Task 6 GW Monitoring	Task 7 Reporting	Total
Personnel	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$14,000
Fringe	\$850	\$850	\$860	\$860	\$860	\$860	\$860	\$6,000
Travel	\$1,500	\$0	\$0	\$0	\$0	\$0	\$0	\$1,500
Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Supplies	\$0	\$500	\$0	\$250	\$250	\$0	\$0	\$1,000
Contractual	\$0	\$0	\$177,500	\$0	\$0	\$0	\$0	\$177,500
Other Contingency	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
EPA Grant	\$4,350	\$3,350	\$180,360	\$3,110	\$3,110	\$2,860	\$2,860	\$200,000
City Share *	\$22,000	\$5,000	\$108,940	\$35,000	\$155,500	\$71,500	\$50,000	\$447,940
Total Project Cost	\$26,350	\$8,350	\$289,300	\$38,110	\$158,610	\$74,360	\$52,860	\$647,940

*Funding sources are City of Rochester's Department of Environmental Services Fiscal Year 2011-2012 Cash Capital Allocation and Operating Budget totaling \$447,940. All procurement will comply with procedures in 40CFR 31.36.

Project Description and Task Narrative: The work described below will be completed through a professional services agreement. The remedial actions will be designed, observed, and documented by a professional environmental consultant.

Task 1 (Work Plan): Preparation of required draft and final Remedial Work Plans (WPs) including the scope of cleanup, a Health and Safety Plan (HASP), a Community Air-Monitoring Plan (CAMP), a Quality Assurance Project Plan (QAPP), and a Community Participation Plan (CPP). The WP will establish soil and groundwater cleanup objectives. All WPs will be submitted for the appropriate regulatory agency approvals before being finalized. All final documents will be provided to the document repository, and a Fact Sheet will be submitted to the CPP mailing list to announce its availability for review. EPA Grant budgeted funds are for City staff WP review, and Travel. City Share budgeted funds are for consultant WP preparation.

Task 2 (Community Participation): This task includes updates to the existing CPP for the Site and associated activities such as neighborhood meetings, preparation and dissemination of notices or Fact Sheets, presentations, and coordination of re-use planning in relation to the cleanup project. EPA Grant budgeted funds are for City staff CPP management, supplies. City Share budgeted funds are for consultant services.

Task 3 (Soil Removal and In-Situ Remediation): Additional contaminated soil removal will be required outside the limits of the IRMs. In-situ bioremediation will be completed within and outside of the soil removal area to assist in reduction of contaminants that cannot be readily removed. The anticipated scope for the soil removal and in-situ chemical oxidation or bioremediation includes:

- The selected environmental remediation contractor will be responsible for direction, removal, loading, transport, and disposal of contaminated soils.
- The environmental consultant will document the work and provide continuous perimeter and work zone air monitoring for volatile organic compounds (VOCs) and particulates as per the approved CAMP. Protocols will also be established in the CAMP for dust suppression to prevent adverse impacts to the community during the project.
- Buried utilities within the soil removal area will be removed/disposed, and repaired/replaced as necessary.
- Dewatering of the soil removal excavation, including treatment/disposal, will be completed as deemed necessary.
- Confirmatory or documentation samples will be collected from the sidewalls and bottom of the excavation in accordance with NYSDEC guidance. Soil samples will be analyzed in accordance with the criteria set forth in the approved WP.
- An in-situ remediation product (e.g., chemical oxidants, reductive de-chlorination material, etc.) may be placed in the bottom of the excavation to assist in treatment of residual contaminants in soil and groundwater.
- In-situ remediation product may also be introduced through vertical injection points at locations outside the excavation area to assist in treating less contaminated soil and groundwater.
- Groundwater monitoring and evaluation will be completed within or near the soil removal and in-situ remediation area(s). Groundwater quality data and laboratory analysis results will be used to monitor the effectiveness of the selected remedy.

EPA Grant budgeted funds are for City staff project management, contracted consultant and remediation contractor service, and costs of remediation and backfill materials. City Share budgeted funds are for additional consultant and contractor services and costs of remediation and backfill materials.

Task 4 (Institutional Controls): Institutional controls will be prepared and implemented to address residual contamination that is allowed by the NYSDEC to remain at the Site. Institutional controls would likely be comprised of the following components:

- A Site Management Plan (SMP) would be developed and implemented to ensure the safe reuse of the Site in relation to contamination that is left in-place. The SMP may include: an institutional and engineering control (EIC) plan; a monitoring plan; an excavation work plan; and an operation and maintenance plan.
- An Environmental Easement will be prepared to impose land use limitations, to protect users from residual contamination, including: restricting groundwater use, property use and certain construction (such as basements); requiring operation and maintenance of engineering controls; and requiring periodic review reporting.
- An Alta Survey will also be developed and included with the Environmental Easement that identifies the land use limitations or requirements, and also identifies the locations of monitoring wells, and engineering controls that need to be operated and maintained.

EPA budgeted funds are for City staff project management and supplies. City Share budgeted funds are for contract consultant, legal counsel, and surveyor and title report services.

Task 5 (Engineering Controls): Engineering controls will be designed, installed, operated, monitored and maintained to address potential soil vapor intrusion into new buildings to be constructed at the Site. It is anticipated that the vapor mitigation system would consist of an active sub-slab depressurization system (SSDS) that creates a full-time negative air pressure under any building, mitigating soil vapor intrusion into the interior of the building. EPA budgeted funds are for City staff project management and supplies. City Share budgeted funds are for contracted consultant services, construction contractor services (including costs for providing and installing SSDS materials).

Task 6 (Groundwater Monitoring): A groundwater monitoring program, including wells at on-site and off-site locations, will be implemented at the Site for long-term evaluation of the effectiveness of the remedy. Water quality measurements and laboratory analytical data will be compared to appropriate groundwater standards and guidance values. EPA budgeted funds are for City staff project management. City Share budgeted funds are for contracted consultant services.

Task 7 (Reporting): Progress Reports will be prepared and submitted to keep involved parties informed on the cleanup work, the results of confirmatory or documentation sampling, and performance monitoring. A draft of the Engineering Report will be provided for Agency for review and comment, and a Final Engineering Report (FER) will be prepared. Periodic Review Reports will be prepared and submitted in accordance with the requirements of the SMP and Environmental Easement. EPA budgeted funds are for City staff project management. City Share budgeted funds are for contracted consultant services.

2.b (ii) Leveraging. If you determine that additional work...site cleaned up with this grant: The NYSDEC ERP grant program currently does not have additional funds to grant to the City of Rochester for this project. The City is comfortable with the proposed budget estimates for this cleanup project as they are based on sound engineering and extensive experience with similar sites. The projected budget also includes a standard contingency which further minimizes the need to leverage additional resources. In the event that additional funding is necessary, the City will utilize resources from our DES Fiscal Year 2011-2012 Cash Capital Allocation.

2.c. Programmatic Capability and Past Performance

2.c (i) Programmatic Capability: Describe the management system in place...

The remedial design and remedial action phase of the project will continue to be managed under the NYSDEC ERP program. The City has assigned a Sr. Environmental specialist to manage the environmental firm selected to perform the work. Remedial services will be performed through a professional services agreement, and will be procured in accordance with NYS General Municipal Law and 40 CFR Part 31.36. The selected firm and agreement amount will be subject to Rochester City Council authorization. The City Project Manager will coordinate the review and approval process for the remedial action with the MCDH and the NYSDEC. Citizen participation activities and involvement will be based on the Agency approved Citizen Participation Plan (CPP).

The City's Building Permit Flagging System (BPFS) is administered by a senior environmental specialist with over 20 years experience. Each parcel in the system is supported by IC/EC documentation and a site management plan and application reviews between DEQ and City Permit and Zoning staff are carefully coordinated and documented. BPFS quality control checks are performed monthly.

The City's brownfield coordinator has over 24 years experience and has managed the DEQ since 1994. The DEQ includes five full-time environmental professionals and a full-time grants coordinator.

Experienced part-time employees and college interns provide additional support. Collectively DEQ staff members have over 80 years of experience in managing environmental assessment and cleanup projects under Voluntary Cleanup and Brownfield Cleanup Programs (VCP & BCP). DEQ has managed \$10 million in NYSDEC ERP grant funds for six brownfield sites in addition to two NYS Brownfield Opportunity Area planning grants. DEQ also managed \$6.2 million in grants for investigation and cleanup of a 21-acre NYS Superfund site that was redeveloped into a \$26.4 million regional fire training facility. DEQ established the City's BPFS institutional control system for City managed brownfield sites in 1996. This system currently tracks and manages about 143 parcels in the City.

In 2007, succession planning and organizational changes in the DEQ, designed to encourage retention of experienced staff by expanding the team's functional responsibilities, led to promotion of two senior environmental specialists and an increase in part-time staffing. DEQ also provides intensive co-op training for one or two senior level college environmental interns each year. In the event of turnover within DEQ, these interns could be hired into the City's entry level technician level positions and existing staff promoted to fill vacancies. DEQ personnel were encouraged to take civil service exams for every title within the division. As a result, each DEQ staff person is now reachable on civil service lists for every staff level title within the division so that promotions can be made quickly in the event of a vacancy.

Rochester will comply with competitive procurement standards set for the in 40 CFR Part 31.36 in order to secure environmental consulting services for the project. Request for proposals (RFP) will be prepared by the brownfield coordinator in accordance with the EPA approved work plan included in executed EPA cooperative agreements. RFP drafts are subject to DEQ Manager Review and must be approved prior to solicitation. Proposals received by the City are carefully reviewed, scored, and ranked; proposal costs are carefully analyzed and compared; and consultant interviews are held prior to final selection. Once a consultant is selected, a recommendation for Council authorization is made and, if approved, a professional service agreement with the consultant is executed. DEQ has 24 years experience in procuring professional environmental consulting services under EPA's brownfield cooperative agreement procurement requirements and will follow all contractor and subaward/subgrant requirements.

2.c (ii) Past Performance: Currently or has ever received an EPA Brownfield Grant...

Rochester's most recent EPA brownfield grants have included:

- 1) a \$200,000 assessment grant to develop and implement a BOA Site Assessment Program to assess local "brownfield" properties.
- 2) a \$200,000 EPA cleanup grant for the 399 Gregory Street site which was assessed using EPA grant funds. Rochester completed the cleanup in 2009 under the NYS Brownfield Cleanup Program and the EPA grant was closed in August 2010;
- 3) a \$200,000 EPA community-wide assessment grant for the continuation of Rochester's Brownfield Assistance Program for which remaining grant funds are currently being fully committed to new assessment projects;
- 4) a \$200,000 cleanup grant for 935 W. Broad Street which was previously investigated using EPA assessment grant funding. This cleanup project was completed under the NYSDEC petroleum spill program and the grant was closed in 2009;
- 5) a \$400,000 cleanup grant for two sites, 80-100 Charlotte Street site and the 151-191 Mt. Hope Avenue. The cleanups projects were successfully completed under the NYSDEC petroleum spill cleanup program. Both Sites received "No Further Action" designation letters from the NYSDEC and the grant closed in 2008;

Of the \$1,080,000 in grant funding for the above referenced grants, \$110,884.67 (10.2%) has not yet been drawn down. The \$110,884.67 balance is fully committed to complete consulting and staff programmatic work that has not yet been billed and newly committed BAP project budgets. Of the five grants listed three have already been closed out.

The DEQ has consistently tracked its EPA cooperative agreement actual work plan outputs, schedule, and reporting requirements against work plan estimates. The delivery of planned results in a timely manner is a priority for Rochester. The grants compliance coordinator monitors performance data, financial, budget, environmental outputs and deliverables, and helps assemble output and outcome data for the City Project Director to evaluate. Variances from expected objectives have been investigated and reported to EPA Region 2 both informally and through required reporting. Site approval requests were submitted on a timely basis. Quarterly progress reporting, reporting measures and annual financial reports for the existing EPA assessment and cleanup grants are up to date and were made in a timely manner. Annual financial reporting has been performed as required by the City's Accounting Bureau. The City's quarterly reporting routinely links progress toward achieving grant output goals, to actual performance (ie. number of site assessments completed). Rochester has frequently communicated progress and accomplishments to both its EPA Region 2 project manager and the Region 2 Brownfield Coordinator as well as through the EPA ACRES program. Rochester's plans for tracking and measuring its output and outcome progress are based on its well established grants and project management system.

The City independently measures some outcome data, such as: number of sites and number of acres remediated each year. These data are tracked for all City brownfield sites and reported in the City's annual budget. Average remedial cost per acre is calculated based on intended future use and is tracked as well. The City also tracks outside and private sector brownfield investment, increases in assessed value, annual property tax revenues, and project specific job retention and creation as part of the City's Rochester By the Numbers (RBN) performance management system. Rochester has consistently met EPA requirements for contractual professional environmental services. DEQ and the City Purchasing Bureau use well established advertising and RFP or public bidding procedures to hire environmental consultants in accordance with NYS General Municipal Law. The City's has consistently met its environmental assessment and cleanup work plan compliance and performance requirements.

Accomplishments: Under its prior EPA cooperative agreements, the City has successfully completed four EPA funded cleanup projects totaling six acres, including both hazardous substance and petroleum cleanups. The DEQ is working with the City's Neighborhood and Business Development Department (NBD) to prepare redevelopment RFPs for three of these sites. The fourth will be a park on the Genesee River adjacent to a new private \$20 million private brownfield cleanup and waterfront housing redevelopment project. Rochester has also completed a remedial investigation, and remedy selection, for the Erie Canal Industrial Park (ECIP) property, and subsequently performed a City-funded \$750,000 NYS voluntary cleanup of the site. The EPA funded work set the stage for reuse of the ECIP site as the new home for the Rochester Rhinos professional soccer team. Opened in 2006, the 15,000 seat, \$27 million soccer stadium included more than \$9 million in privately secured financing and more than \$15 million in NYS funding. Rochester also established its Brownfield Assistance Program (BAP) which resulted in the investigation of over 66 acres of brownfields at 32 sites by businesses and developers. Over \$22 million dollars in redevelopment investment subsequently occurred at BAP project sites with an additional \$3.7 million in investment expected from current BAP projects. BAP expansion and redevelopment projects have retained 1,083 jobs and resulted in the creation of 382 new jobs in Rochester. The City was awarded the 2006 Local Government Innovation Award from the NYS Conference of Mayors and was recognized by

the National League of Cities for the BAP. The City also used its EPA assessment grants to help improve and monitor its environmental institutional control system. The BPFS has received state-wide and national attention including an IC cost tracking project for the International City County Management Association.

Rochester has an established grant monitoring and audit process and has not received any adverse audit findings.

2.c (ii) Has Not Received an EPA Brownfields Grant ...Not Applicable.

3. Community Engagement and Partnerships

3.a Discuss your plan for involving the affected community... The City has worked closely with the Liberty Pole Group, local residents, students and other affected community members to maintain an open dialog regarding future redevelopment options at the Site. On October 5, 2010 the City presented information about the Project, discussed the cleanup grant proposal, and provided an opportunity for comments. Informational letters were also sent to affected property owners, businesses, and community groups. Information regarding this cleanup application was posted on the City's web page at: www.cityofrochester.gov/citydepartments. The Group was given the opportunity for questions and comments at the conclusion of the presentation. A summary of the "Questions & Answers" session is provided with the meeting notes and included as an attachment to this application.

Letters of support for the City's cleanup project were received from several neighborhood entities, including: Flaum Management, the property management group for the Harro East Ballroom and Rochester Athletic Club, located at 400 Andrews Street; The Grace of God Recovery House, a Christian Ministry Outreach Center, located at 140 Franklin Street, and Abilene Nightclub and Restaurant, located at 153 Liberty Pole Way. All information generated during the project will be shared through periodic meetings and regularly posted updates on the website. A public document repository for citizen use has already been established at the City's Rundell Library. A copy of the meeting notification, and sign-in sheet, public comments and a response summary to the City's project and proposal, and support letters are attached.

3.b Describe your efforts and/or plans to develop partnerships with your local/state/tribal... The cleanup will be completed under the NYSDEC ERP program, as will the post cleanup site maintenance and monitoring phase activities, in order to ensure the protection of public health and the environment. The City has and will continue to work closely with both County and State Health Agencies and the NYSDEC on this project. Under the ERP Program, the NYSDEC reviews all work plans, inspects site work and routinely makes referrals to and consults with the MCDH and NYSDOH on work planning, site investigations, remedy selection, cleanups, and reporting. The City meets regularly with the MCDH Waste Site Advisory Committee which includes NYSDEC, NYSDOH, MCHD, local sewer and environmental management agencies. A formal memorandum of agreement exists between the MCDH and the NYSDEC regarding waste site information and decision making.

After site cleanup is completed and prior to redevelopment, overlapping institutional controls will be established. The City institutional control system, the Building Permit Flagging System (BPFS), will be initiated once an operations and maintenance plan is prepared as part of the site closure. The BPFS involves referrals to NYSDEC and MCDH when the City receives various building and construction permit applications for City cleanup sites where use limitations and engineering controls are in place. This is done to protect site users, construction workers, and building occupants. This institutional control program has been used since 1996 and its use has become standard practice for City brownfield projects.

3.c Provide a description of, and the role of, the key community-based organizations... The Liberty Pole Group (the Group) is the key umbrella organization that the City will work with during the Andrews Street cleanup and redevelopment project. The group is comprised of representatives for local business and property owners, educational institution administrators, and tenants. The City developed a Citizens Participation Plan as part of the ERP Program which has been made available to the community in the document repository of the City's Rundell Library Branch. We anticipate that, through regularly scheduled progress meetings, the Group will continue to be the voice of the community in the redevelopment planning process for the Andrews Street site. It is expected that the Group will be actively involved during the NYSDEC cleanup remedy selection process for the Site.

The involvement of the Group constitutes the participation of all of its member neighborhood and business groups. The goals of Group are to attract, maintain and support area businesses; to provide all students with a quality education within a safe environment; to ensure that the Liberty Pole and Andrews Street area is attractive and appealing; to provide opportunities for citizen input on issues and services that affect them; to ensure that residents have access to safe, affordable housing; and to support a "no tolerance" attitude for crime and violation of personal rights. The Group will continue to be a key community representative on the local development committee and serve as a partner with the City in the participatory planning process for the cleanup and redevelopment of the Site.

4. Project Benefits

4.a Welfare and/or Public Health... The chlorinated volatile organic compound (VOCs) perchloroethene (PCE), and its breakdown products, found in the soil and groundwater across the Site, are known or probable carcinogens, and present a serious potential health risk to the surrounding area. Without cleanup, volatilization of these compounds into the indoor air of nearby structures could occur. Prolonged exposure could cause respiratory irritation, contribute to asthma in sensitive populations and even cause long-term and irreparable damage to workers, residents and contractors performing work at the properties. The potential for future vapor intrusion indoor air threats will be minimized by implementing this cleanup plan. The City intends to install sub-slab vapor suppression systems in future site structures. The City's existing BPFS program, will also help protect future Site users, from residual contamination by establishing guidance protocols for future developers, property owners, the City and the community, and by protecting sensitive populations from the impacts of future development.

The City is experienced with managing the potential impacts of brownfield cleanup activities to the community and will use a combination of integrated techniques to reduce and eliminate potential threats during the cleanup phase. During the preparation of the Remedial WP, the City will update its CPP site and neighborhood contact list. The WP will also include a Site HASP with protocols to address safety conditions which may be encountered that are of immediate concern to the environment or public safety. If needed, notifications will be made to emergency response agencies, potentially impacted neighbors, property owners, and local health agencies. Reductions in public health and environmental threats from volatilization of contaminants from excavation of source soils will be accomplished through air monitoring, temporary exclusion zone fencing, and perimeter fencing of the entire Site. In anticipation of these potential remedial phase concerns a community air monitoring plan (CAMP) and erosion control plan will be included in the WP and followed during the project. The CAMP, required by the NYSDOS, identifies organic vapor and particulate threshold concentrations that, if exceeded, require work stoppage or mitigation measures. Mitigation measures can include dust suppression, application of vapor suppressing foams and ventilation techniques.

4.b Economic Benefits and/or Greenspace: Explain how the grant will produce:

4.b (i) Economic Benefits, such as increased employment and expanded tax base... The cleanup grant will directly contribute to increases in property values for the site and surrounding properties. The City has already received inquiries from local developers interested in redeveloping the parcels to mixed residential/ retail use, however, the environmental contamination has prevented any real commitments from developers. The grant will provide a necessary catalyst to redevelopment by eliminating the issues that have prevented interested parties from purchasing the property.

4.b (ii) Other non-economic benefits associated with the Site to be reused for greenspace... It is anticipated that the redevelopment of the Site will include both greenspace and commercial expansion. Any redevelopment plans would be required to undergo a City Site Plan Review process to ensure the dictates of the City's Center City District (CCD) zoning are followed, including provisions to *"create green streets and mid-block corridors to enhance pedestrian circulation"*. Additionally, any redevelopment of the Site would likely include a design complementary to the existing greenspace, known as Shiller Park, located to the immediate east of the Site (Figure 1).

The proposed cleanup alternative also has a green remediation alternative component as the in-situ bioremediation or chemical oxidation would treat groundwater in-place minimizing waste and treatment by-products.

4.c Environmental Benefits from Infrastructure Reuse/ Sustainable Reuse: Based on recent success at other brownfield redevelopment sites, the City of Rochester plans to use several key sustainable redevelopment practices at the Site. The City will require the identification of LEED practices in any requests for proposals for the redevelopment of the site. The City plans to use the LEED rating system, which considers the categories of "Sustainable Sites, Water Efficiency, Energy and Atmosphere, Materials & Resources, Indoor Air Quality, and Innovation in Design", as review guidelines when evaluating redevelopment proposals. This should help to encourage energy efficient construction, and green building concepts for the new construction.

Once the initial soil source removal and groundwater cleanup is complete, the Site would be acceptable for use as a variety of mixed commercial/ residential uses. The Site is located within the City Center, and existing infrastructure includes electric, natural gas and telecommunications hookups already available for use. The Site is easily accessible to public transportation and local parking, bicycle and pedestrian routes.

4.d Describe your plan for tracking and measuring your progress towards achieving... Rochester's plans for tracking and measuring its output and outcome progress are based on its well established grants and project management system. The City DEQ currently tracks EPA cooperative agreement actual work plan outputs against work plan estimates, and DEQ will continue to focus on delivering planned results in a timely manner. City DEQ project managers and consultants provide performance data and status information to the DEQ grants compliance coordinator. The grants compliance coordinator monitors financial, budget, environmental outputs and deliverables, and helps assemble output and outcome data for the Project Director to evaluate. Variances from expected cooperative agreement work plan progress are investigated and reported to EPA both informally and through required reporting.

The City measures outcome data for individual sites and on a City-wide basis including the numbers of sites and acres remediated each year. These data are tracked for all City brownfield sites and reported in the City's annual budget. Average remedial costs per acre are calculated based on intended future use (i.e. commercial and industrial versus residential) and are tracked as well. The City is also tracking outside and private sector site investment, increases in assessed valuation, and annual property tax revenues, and project specific job retention and creation specifically for its brownfield sites as part of the City's Rochester By the Numbers (RBN) performance management system. Such outcomes for the Site will be reported to EPA during the project.

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Program Management, 12th Floor
625 Broadway, Albany, New York 12233-7012
Phone: (518) 402-9764 • Fax: (518) 402-9722
Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

October 4, 2010

Mr. Mark Gregor, Manager
Division of Environmental Quality
Department of Environmental Services
City of Rochester
30 Church Street, Room 300B
Rochester, NY 14614

Dear Mr. Gregor:

This is to acknowledge that the New York State Department of Environmental Conservation (Department) received notice of your intent to submit a proposal for a United States Environmental Protection Agency (USEPA) brownfield cleanup grant in the amount of \$200,000.

If awarded, I understand that the City intends to use the funds to conduct cleanup activities at the 300, 304-308, 320 Andrews Street, 25 Evans Street property. The Department supports the application contingent upon the City implementing the Record of Decision that will be issued by the Department for this site currently being investigated under the State's Environmental Restoration Program under site number E828144.

The Department encourages initiatives to redevelop brownfields with the goal of mitigating any environmental and health impacts that they might pose. I applaud the City's efforts to move this initiative forward.

Sincerely,

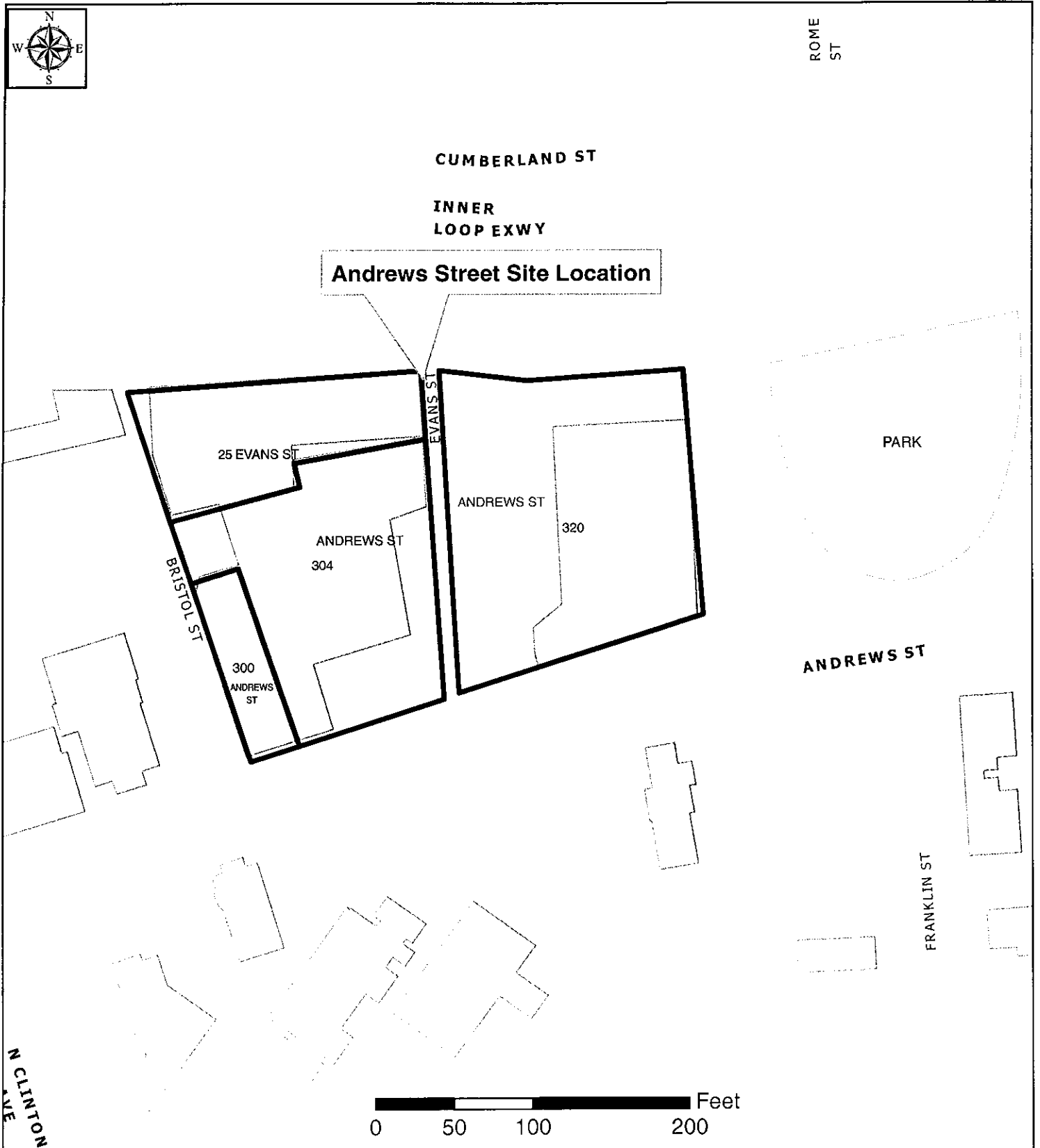
Donna Weigel

Donna Weigel
Director
Bureau of Program Management

cc: R. Torres, USEPA

bcc: D. Desnoyers
S. Ervolina
R. Cozzy
D. Weigel
D. Finlayson
B. Putzig/S. Rodabaugh, Region 8
E. Miller, DOS

Site Location Map
Andrews Street Site
300, 304-308, & 320 Andrews Street, 25 Evans Street
Rochester, New York



City of Rochester
Notice of Intent to Submit
EPA Brownfield Grant Proposal

The City of Rochester intends to submit a U.S. Environmental Protection Agency (USEPA) grant proposal in October 2010. The City is applying to the USEPA for Community-wide assessment grant funding for a Community Brownfield Assistance Program. This will be a fee-for-service program for businesses, commercial and housing developers and community groups. Under this program sites will be submitted to the USEPA for approval based on applications received by the City of Rochester.

If this grant proposal is approved, award notification will occur in the late spring of 2011 and grant funds will be available in the fall of 2011.

Notice of Availability for Comment
City of Rochester Draft Brownfield Grant Proposal

The City of Rochester is providing notice of the availability of a draft brownfield grant proposal for public comment. The City is applying to the USEPA for a cleanup grant for the site located at 300, 304-308, and 320 Andrews Street and 25 Evans Street.

A meeting has been scheduled for Tuesday, October 5, 2010 at 3 p.m. at the Abilene Restaurant at 153 Liberty Pole Way, Rochester, NY 14604. The draft proposal will be available for review by contacting Vicki Brawn, City of Rochester Division of Environmental Quality at vbrawn@cityofrochester.gov. All comments must be received by 5:00 p.m. on Wednesday, October 13, 2010.



To: Liberty Pole Group
From: Jane MH Forbes
Date: October 6, 2010
Subject: Andrews Street EPA Grant Application

Group Members:

Thank you so much for taking time out of your schedules to attend the October 5, 2010 informational meeting for the City's EPA Brownfield Cleanup Grant Application for the Andrews Street Site. It was a pleasure to meet all of you and I hope I was able to answer most of your questions to your satisfaction.

I've attached a summary of the discussion, with the questions which were raised and the associated answers. For those questions I couldn't answer at the meeting, hopefully I have provided the information you need in the following. But please, feel free to contact me if you have more questions or need further clarification.

Again, community support for these competitive grant applications is crucial and weighs heavily with the EPA award committee. If you choose to support the City by providing a letter for inclusion with our package, please remember, our due date is October 15th. Please try to have your letter(s) to me by October 13th at the latest. Feel free to contact me at 428-7892 and I'd be happy to pick up your letter. You can also send it via e-mail to forbesj@cityofrochester.gov.

Thank you again for your time and support.

Sincerely,

Jane MH Forbes
Environmental Specialist

G:\ENV\QUAL\JANE\JOBS\Misc Phase I IIs\Andrews St EPA Grant App_Oct 2010\LibertyPole_Thanks10-6-2010.docx

**Liberty Pole Group
City EPA Brownfield Cleanup Grant
Information Meeting - October 5, 2010
Meeting Summary**

The meeting was convened at Abilene, located at 153 Liberty Pole Way, Rochester, 14604 at approximately 3:15 P.M., at which time, participant introductions were exchanged. Six (6) local citizen/ business owner participants attended, two (2) Rochester Police Department patrolmen and two (2) City administration representatives were in attendance. A copy of the meeting Sign-In sheet is attached.

The floor was given to Ms. Jane MH Forbes, Environmental Specialist for the City of Rochester, to present information regarding the City's 300, 304-308, and 320 Andrews Street, and 25 Evans Street EPA Brownfield Cleanup Grant application.

Presentation Summary: The Site consists of four parcels approximately 1.5 acres in size and is owned by the City located at 300, 304-308, and 320 Andrews Street, and 25 Evans Street (Site). Handouts were distributed to the group including Site diagrams and Site conditions information. A copy of the handout is attached.

The Site buildings are vacant and in dilapidated condition, and the City plans to demolish the buildings this fall. The Site has been used for various commercial and industrial uses since the early 1920's, including plumbing and electrical supply, bakery, printer, commercial bus depot and bus garage, gasoline station, chemical sales/distribution, dry cleaning equipment distributor, fuel oil contractor, and warehousing, which have contributed to subsurface soil and groundwater contamination across the site.

The City was awarded a \$472,714 grant by the NYSDEC to help fund extensive site investigation and other related cleanup costs. In addition to reimbursement of project costs, the ERP provides indemnification from the State of New York to the City and all subsequent owners of the remediated sites if the cleanup is performed in accordance with the NYSDEC Record of Decision (ROD).

The City is currently investigating the impacts of hazardous contaminants, specifically perchloroethene or PCE, a common dry cleaning solvent, to soil, soil vapor and groundwater at the Site. However, with the recent depletion of future State funds through the program, complete Site characterization and cleanup will be difficult for the City to fund.

Due to these shortages, the City is applying for an additional \$200,000 in federal aid from the USEPA. This additional Federal funding would allow us to complete a more thorough investigation of any potential on and off-site impacts as well help to begin cleanup actions at the Site. Site cleanup would pave the way for future redevelopment and much needed economic growth for your area.

The floor was opened for questions and answers. Questions and Answers are listed below.

Q: Has asbestos abatement been completed at the Site?

A: Asbestos abatement was completed circa summer 2009. Any undiscovered asbestos or lead contaminants will be addressed appropriately during the time of building demolition.

Q: When will the demolition start and how long will it take?

A: Demolition is scheduled to begin on October 11, 2010 and is expected to take approximately 60 days to complete. All structures on the Site will be razed and selected portions of the building slabs will be removed (See figure on handout).

Q: Will there be fencing or other protective measures during demolition and environmental work?

A: The Site will be entirely enclosed within a chain link fence for the duration of the project. State mandated signage with Site contact information will be posted on the fence.

Q: What is the schedule of work activities?

A: Work activities will progress from demolition, to partial building slab removal and limited contaminated soil source removal. Subsequent to clearing the Site, a comprehensive subsurface and groundwater quality evaluation, including soil borings, monitoring well installation and soil and groundwater testing will be completed. Once the Site conditions have been characterized and the nature and extent of contamination has been determined, a cleanup strategy will be developed and implemented. Estimated time until the Site is available for redevelopment is 3+ years.

Q: Why does the project take so long?

A: State and Federally funded projects often see protracted time-lines for completion due to many factors including: required review of contracts, consultant and subcontractor qualifications, Work Plans, Health & Safety Plans and public comment periods. Funding delays can also be experienced, such as those we've seen recently in NYS.

Q: What if the City is not awarded the EPA grant?

A: The City has secured funding from the NYSDEC for investigation and Interim Remedial Measures. Additional City money has been budgeted for cleanup. EPA funding would allow us to do more, or possibly free up City money for other projects, but even if the City does not win the grant, the Site will still be cleaned up.

Q: Are precautions being taken to minimize exposure to contamination to the surrounding population during work?

A: A Community Air Monitoring Plan (CAMP) provides vapor and particulate monitoring protocols that need to be implemented during demolition as well as environmental work. Protocols include real time monitoring of vapor and particulate levels at specified up and downwind locations from the Site, dust suppression requirements and action levels in the event elevated vapor or particulate measurements are seen.

Q: Is the extent of contamination known? Is City drinking water contaminated? Is the contamination associated with known dry cleaning operations off-Site (at the Franklin Street Cleaners)?

A: The nature and extent of contamination to soil and groundwater is not fully characterized at this time. The ERP Grant work scope has been designed to provide sample location coverage in an attempt to identify the limits of contamination at the Site as well as to determine groundwater flow direction, contaminant transport mechanisms and exposure pathways. The source(s) of contamination is unknown at this time. It is also possible that, due to the area's long history of commercial and/ or industrial uses, identification of the responsible party or parties may not be possible. Unfortunately, without sufficient, incontrovertible evidence indicating responsibility for contamination, it's likely that the potentially responsible parties will not be held accountable.

Local groundwater is known to be contaminated with PCE. The City does not use local groundwater for municipal drinking water. City drinking water is provided by the Canidice and Hemlock Lake aquifer and is delivered from the Highland or Cobbs Hill Reservoir.

Q: Will there be off-Site testing, and if so, what kind? How will the City gain access?

A: Currently, the work scope, off-Site investigation activities will be limited to soil borings and groundwater monitoring well installed in City right-of-ways. It is possible, in the future, that if the limits of contamination are not defined, additional testing at off-Site properties could occur. In that case, the City would contact affected property owners and enter into a mutually acceptable Access Agreement in order to perform the necessary testing. The City would use the least intrusive method to obtain the necessary physical data for the study and the City would be responsible for any damage and property restoration associated with the investigation.

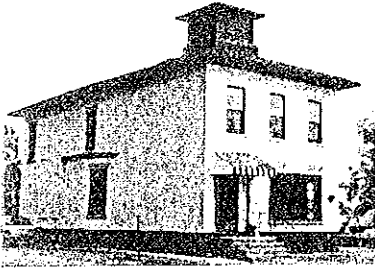
Q: What does the City plan to do to redevelop the Site once it's cleaned up? Will it be sold for \$1.00 or fair market value?

A: The City has no redevelopment plan for the property at this time. Public comment and participation throughout the project will be considered once the Site is ready for development. After the Site has gone through the ERP program and received a "No Further Action" letter from the State, the City and all subsequent owners will be indemnified against any future claims from contamination. Redevelopment proposals would be reviewed by the appropriate City Neighborhood & Business Development (NBD) personnel and theoretically, redevelopment would follow the best fit for the local area.

Liberty Pole Meeting

October 5, 2010

Name	Business Name	Mailing Address	Phone No.	e-mail address
Karen Teague	Student	69 Camelot Drive Rochester, NY 14623	585-355-8860	Kteague134@hotmail.com
Margie Hemminger	Grace of God Recovery House	120 Franklin Street Rochester, NY 14604	585-454-5896	ihemm@aol.com
Herb Brown	RPD	1099 Jay Street Rochester, NY 14611	585-428-1158	Hb0048@cityofrochester.gov
Vinny Agnone	RPD	923 Genesee Street Rochester, NY 14611	585-428-6880	VA1384@cityofrochester.gov
Scott Burdett	Flaum Management	400 Andrews Street Rochester, NY 14604	585-546-4866	sburdett@flaumanngl.com
Gus Stefanou	Stefanou Realtors	1922 Chili Avenue Rochester, NY 14624	585-328-1114	
Dimitri Stefanou	Stefanou Realtors	1922 Chili Avenue Rochester, NY 14624	585-328-1114	Dimitri@stefanourealtors.com
Danny Deutsch	Abilene	153 Liberty Pole Rochester, NY 14604	585-506-5530	ddeutsch@rochester.rr.com
Jane Forbes	City		585-428-7892	jforbes@cityofrochester.gov
Susan Lindsay	City NBD	30 Church Street Rochester, NY 14614	585-428-6407	lindsay@s@cityofrochester.gov



GRACE OF GOD RECOVERY HOUSE

120 Franklin Street
Rochester, N.Y. 14604-1415

585-454-5896

An Outreach of Spiritus Christi Church

Mr. Mark Gregor, Manager
Division of Environmental Quality
30 Church Street, Room 300B
Rochester, NY 14614

RE: City of Rochester, NY - 2010 USEPA Brownfield Cleanup Grant
Proposal Andrews Street, Rochester, NY

Dear Mr. Gregor:

At our recent Liberty Pole Neighborhood Association meeting we were informed about the brownfield cleanup project located at the 300, 304-308 properties on Andrews Street in the City of Rochester. I live at Grace of God Recovery House, located at 120 Franklin Street diagonally across Andrews Street from the above properties. We, at this group home, are very concerned about the cleanup of these properties and have been for the 11 years that I have lived and worked here. This property has been not only an eyesore, but a magnet for street activity. We work hard to keep our property clean, environmentally friendly and have worked to keep our little part of the city welcoming. The clean up of these properties would make a great difference to us and to those who visit our neighborhood.

It would be great to see housing put in this area to increase our neighborhood population. We strongly urge the City to do all in its power to begin cleanup as soon as possible. We support the City's efforts to obtain a USEPA grant to assist with this project.

If I can be of any more assistance, please contact me at 454-5896. Thank you for your efforts to improve the quality of life for our city residents.

Sincerely,

[Handwritten signature]
[Illegible printed name]

FLAUM

MANAGEMENT COMPANY, INC.

October, 2010

Mr. Mark Gregor, Manager
Division of Environmental Quality
30 Church Street, Room 300B
Rochester, NY 14614

Re: City of Rochester, NY – 2010 USEPA Brownfield Cleanup Grant Proposal
Andrews Street, Rochester, NY

Dear Mr. Gregor:

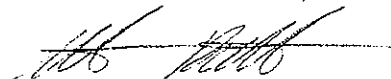
Thank you for your October 1st letter regarding the City of Rochester's brownfield cleanup grant proposal to the United States Environmental Protection Agency for the environmental cleanup of the properties located at 300, 304-308 Andrews Street and 25 Evans Street.

We fully support the City's efforts to remediate the chemical contamination present at the site related to the former bus terminal and dry cleaning wholesale storage facility. As a developer and stakeholder in Downtown Rochester, we are very interested in contributing to the City's plans to restore the site and revitalize the surrounding properties after completion on the brownfield cleanup project. We look forward to a cooperative effort with the City and to engaging in the community participation activities during the site cleanup.

We hope the USEPA responds favorably to your grant proposal and look forward to working with the City on this project. Please feel free to contact us if we can be of any further assistance.

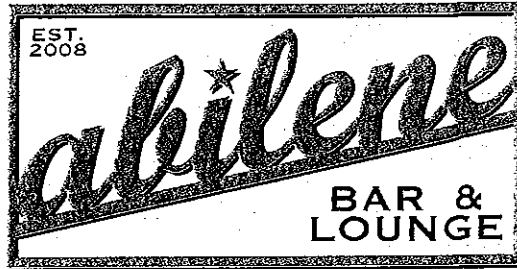
Sincerely,

FLAUM MANAGEMENT CO., INC.



Scott Burdett
Director of Marketing/Brokerage Services

Licensed Real Estate Broker



153 LIBERTY POLE WAY, ROCHESTER, NY 14604
232-3230 • WWW.ABILENEBARANDLOUNGE.COM

October 13, 2010

Mr. Mark Gregor, Manager
Division of Environmental Quality
30 Church Street, Room 300B
Rochester, NY 14614

Re: City of Rochester, NY – 2010 USEPA Brownfield Cleanup Grant Proposal
Andrews Street, Rochester, NY

Dear Mr. Gregor:

Thank you for attending the Liberty Pole Group meeting held on October 5th and for your presentation regarding the City of Rochester's EPA brownfield cleanup grant application, for the properties located at 300, 304-308 Andrews Street and 25 Evans Street. The parcels are located directly across from Abilene, and have been vacant and in deteriorating condition for several years.

As a local business owner, I enthusiastically support the City's cleanup efforts at the site and look forward to new development, as it will undoubtedly have a positive impact on the existing businesses in the area. I'm very interested in contributing to the City's plans to restore the site and revitalize the surrounding properties after completion of the brownfield cleanup project. I look forward to a cooperative effort with the City and to engaging in the community participation activities during the site cleanup.

I hope the USEPA responds favorably to your grant proposal and look forward to working with the City on this project. Please feel free to contact me if I can be of any further assistance.

Sincerely,

Danny Dautsch